HB 7047 2015

1 A bill to be entitled 2 An act relating to direct primary care; creating s. 3 624.27, F.S.; providing definitions; specifying that a 4 direct primary care agreement does not constitute 5 insurance and is not subject to the Florida Insurance 6 Code; specifying that entering into a direct primary 7 care agreement does not constitute the business of 8 insurance and that such action is not subject to the 9 Florida Insurance Code; providing that a certificate 10 of authority is not required to market, sell, or offer to sell a direct primary care agreement; specifying 11 12 criteria for a direct primary care agreement; providing an effective date. 13 14 15 Be It Enacted by the Legislature of the State of Florida: 16 17 Section 1. Section 624.27, Florida Statutes, is created to read: 18 19 624.27 Application of code as to direct primary care 20 agreements.-21 (1)As used in this section, the term: 22 "Direct primary care agreement" means a contract 23 between a primary care provider and a patient or the patient's 24 legal representative which meets the criteria in subsection (4) 25 and does not indemnify for services provided by a third party.

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"Primary care provider" means a health care provider

CODING: Words stricken are deletions; words underlined are additions.

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(b)

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licensed under chapter 458, chapter 459, or chapter 464 who provides medical services to patients which are commonly provided without referral from another health care provider.

- (c) "Primary care service" means the screening,
 assessment, diagnosis, and treatment of a patient for the
 purpose of promoting health or detecting and managing disease or
 injury within the competency and training of the primary care
 provider.
- (2) A direct primary care agreement does not constitute insurance and is not subject to this code. The act of entering into a direct primary care agreement does not constitute the business of insurance and such action is not subject to this code.
- (3) A primary care provider or an agent of a primary care provider is not required to obtain a certificate of authority or license under this code to market, sell, or offer to sell a direct primary care agreement.
- (4) For purposes of this section, a direct primary care
 agreement must:
 - (a) Be in writing.

- (b) Be signed by the primary care provider or an agent of the primary care provider and the patient or the patient's legal representative.
- (c) Allow a party to terminate the agreement by written notice to the other party after a period specified in the agreement.

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(d)	Descri	ibe the	scope	of	primary	care	services	that	are
covered by	y the r	monthly	fee.						

- (e) Specify the monthly fee and any fees for primary care services not covered by the monthly fee.
- (f) Specify the duration of the agreement and any automatic renewal provisions.

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- (g) Offer a refund to the patient of monthly fees paid in advance if the primary care provider ceases to offer primary care services for any reason.
 - (h) State that the agreement is not health insurance. Section 2. This act shall take effect July 1, 2015.